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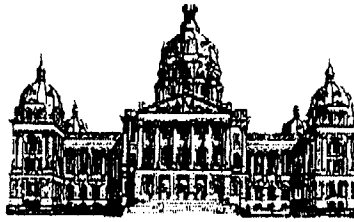
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**The Senate**

State of Iowa

*Seventy-ninth General Assembly*

STATEHOUSE

Des Moines, Iowa 50319

## COMMITTEES

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*Vice Chair*

January 28, 2002

Renata Hesse

Department of Justice, Antitrust Department

601 D St NW

Suite 1200

Washington, DC 20530

Dear Ms. Hesse,

I am a State Senator from Iowa and I also the owner of construction contracting business. In my capacity as a State Senator I am chairman of the state government committee and also serve on the commerce committee. I chose to serve on these committees because as a business owner I am acutely aware of negative impact over regulation can have on business.

It is from this unique perspective that I am writing you today to encourage you to settle the Microsoft anti-trust case

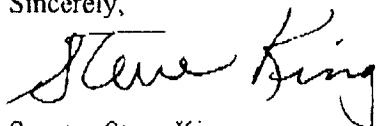
The suit against Microsoft was brought under anti-trust laws that were developed in at a time in our history when our nation was growing into the industrial and economic leader it is today. These laws were meant to protect American consumers from harm inflicted by monopoly companies. These laws have served their purpose in the past. However, in this case, I do not think they apply. The government and Microsoft's critics have yet to prove consumer harm as a result of Microsoft actions or practices.

As a businessman and strong supporter of our free-market system, it is apparent to me that Microsoft's only crime is giving the American public a superior product, and therefore has been able to build a loyal following of committed users. Assumedly, Microsoft worked very hard to develop its products and market. They should not be punished for this or for having the business savvy to take action to protect their market.

A closer look at this suit and the lobbying efforts that have fueled it will expose disturbing realities. Microsoft's competitors do not appreciate that technology consumers are overwhelmingly loyal to Microsoft products. However, instead of committing to production of new products that may allow them to more successfully compete in our free-market, they have banded together and found a way to use outdated anti-trust laws for their own purposes.

The settlement before you is truly a compromise for Microsoft. Certainly, Microsoft will be held to the severe provision of this settlement, not the least of which is the sharing of intellectual property. However, negotiating settlement is the best solution for the technology industry and our economy in general. When this settlement is approved it will send a signal to the technology industry that the threat of government interference has been lifted.

Sincerely,



Senator Steve King